

Practitioner's Docket No. 2003IT301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Giorgio BERTOLINI

Examiner:

Application No.:

Group No.:

Filed: 09/24/2005

For: PROCESS AND INTERMEDIATES FOR PREPARING EMTRICITABINE

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

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Applicant: Giorgio BERTOLINI
 Serial No. .
 Filed 09/24/2005 .
 Page 2

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith).

1. ☒ Enclosures accompanying this Information Disclosure Statement are:
 - 1a. ☒ Form PTO-1449 (PTO/SB/08a and/or PTO/SB/08b).
 - 1b. ☒ Copies of Information Disclosure Statement citations.
 - 1c. ☒ PCT or EP Search Report .PCT/IB2004/000924 Search Rpt, Mailed 07/01/2004
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2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) with the filing of the U.S. patent application. Accordingly, no fee or §1.97(e) Statement is required.
3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 03-2060.
5. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(e) in that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Accordingly, no fee is required.
6. ☐ This Information Disclosure Statement is filed in conjunction with a Request For Continued Examination. Accordingly, no fee or §1.97(e) Statement is required.
7. ☐ The English language documents identified by reference in the TRANSLATION Section of the foreign patents list of the attached 1449 Form are believed to be a concise statement, or the equivalent or substantial equivalent to the foreign language documents cited in the attached 1449 Form.
8. ☐ In addition to the documents cited, the Office's attention is directed to the following co-pending U.S. Application Serial Number(s), copies of which are attached for the convenience of the Office:

Respectfully submitted,


 Richard P. Silverman, Registration No. 36,277

CUSTOMER NO. 25,255

Clariant Corporation, Industrial Property Department, 4000 Monroe Road, Charlotte, North Carolina 28205
 Telephone: 704/331-7156, Facsimile: 704/331-7707

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	
Filing Date	09/24/2005
First Named Inventor	Giorgio BERTOLINI
Art Unit	
Examiner Name	
Attorney Docket Number	2003/T301

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/VB/	AA	US- 5,204,466	04/20/1993	LIOTTA	
	AB	US- 5,696,254	12/09/1997	MANSOUR	
	AC	US- 6,051,709	04/18/2000	GOODYEAR	
	AD	US- 5,538,975	07/23/1996	Dionne	
	AE	US- 6,329,522	12/11/2001	Hill	
	AF	US- 5,852,027	12/22/1998	Liotta	
/VB/	AG	US- 5,892,025	04/06/1999	Liotta	
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FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
/VB/	BA	EP 051517	11/25/1992	Biochem Pharma		<input type="checkbox"/>
	BB					<input type="checkbox"/>
	BC					<input type="checkbox"/>
	BD					<input type="checkbox"/>
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Examiner Signature	/Venkataraman Balasubramanian/	Date Considered	03/14/2008
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	
		Filing Date 09/24/2005	
		First Named Inventor Giorgio BERTOLINI	
		Art Unit	
Examiner Name			
Sheet 2	of 2	Attorney Docket Number 2003IT301	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/VB/	CA	CHU, CK; et al., "Synthesis and Antiviral Activity of Oxaselenolane Nucleosides", J. Med. Chem., 2000, pp 3906-3912, Vol. 43	<input type="checkbox"/>
/VB/	CB	Jeong, LS; et al., "Asymmetric Synthesis and Biological Evaluation of Beta-L-(2R,5S)- and Alpha-L-(2R,5R)-1,3-Oxathiolane-Pyrimidine...", J. Med Chem., 1993, pp181-195, V36, N2	<input type="checkbox"/>
	CC		<input type="checkbox"/>
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